

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON**

IN RE: ETHICON, INC., PELVIC REPAIR SYSTEM PRODUCTS LIABILITY LITIGATION ----- This document applies to: ETHICON WAVE 4 CASES LISTED IN EXHIBIT A	Master File No. 2:12-MD-02327 MDL 2327 JOSEPH R. GOODWIN U.S. DISTRICT JUDGE
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**NOTICE OF ADOPTION OF PRIOR *DAUBERT* MOTION CHALLENGING
GENERAL-CAUSATION OPINIONS OF BRIAN RAYBON, M.D. FOR WAVE 4**

Defendants hereby adopt and incorporate by reference their *Daubert* motion challenging the general-causation opinion testimony of Brian Raybon, M.D. filed in Ethicon Wave 1, Dkt. 2115 (motion) and Dkt. 2116 (memorandum in support). Defendants respectfully request that the Court exclude Dr. Raybon’s general-causation testimony for the reasons expressed in the Wave 1 briefing and, as to his warnings opinions, to exclude them for the additional reason that Dr. Raybon lacks the “additional expertise” required to give those opinions as found by this Court in *In re: Ethicon, Inc. Pelvic Repair Sys. Prod. Liab. Litig.*, MDL No. 2327, 2016 WL 4536876, at *3 (S.D.W. Va. Aug. 30, 2016) (excluding Dr. Raybon’s opinions about “what information should or should not be included in an IFU” because he “does not possess the additional expertise to offer expert testimony about what an IFU should or should not include”).

This notice applies to the Wave 4 cases identified in Exhibit A attached here.

Respectfully submitted,

ETHICON, INC. AND
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CERTIFICATE OF SERVICE

I certify that on April 11, 2017, I electronically filed this document with the clerk of the court using the CM/ECF system, which will send notification of this filing to CM/ECF participants registered to receive service in this MDL.

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EXHIBIT A

**LIST OF CASES TO WHICH MOTION TO EXCLUDE GENERAL-CAUSATION
TESTIMONY OF BRIAN RAYBON, M.D. APPLIES**

1. *Gladys Bird v. Ethicon, Inc.*, Civil Action No. 2:12-cv-03869 (Prolift +M)

* Defendants reserve the right to supplement this list should any plaintiff designate Dr. Raybon as a general-causation expert in MDL Wave 4.